

Application No.: 10/645,259

Amendment dated: March 27, 2006

Reply to Office Action dated: December 27, 2005

REMARKS/ARGUMENTS

Claims 1-33 are pending in the application. Claims 1 and 13 are rejected under 35 U.S.C. §102(e) as being anticipated by Otsuka et al., (hereinafter "Otsuka") U.S. Patent No. 6,717,772. Applicants gratefully acknowledge the Office Action's indication that claims 2-12 and 14-33 contain allowable subject matter.

Applicants respectfully submit that the cited references do not teach, suggest or disclose an actuator, comprising: an actuator element physically supported by and coupled to a suspension element at at least one application site of a bonding agent, the bonding agent covered by a coating application (e.g., as described in claim 1).

The Office Action asserts Otsuka discloses a bonding agent 61, a coating 62, and an actuator element 17 in the form of a slider rail protrusion and the protrusion is supported on a suspension 83 via a slider 10 and the bonding agent. *See* Office Action, page 2, paragraph 2. Applicants disagree.

In forwarding its rejection, the Office Action does not cite to any specific sections of Otsuka. Nevertheless, Applicants submit that Figure 2 of Otsuka describes a representative embodiment that includes the cited elements. Figure 2 of Otsuka describes element 61 as an "adhesive layer" and element 62 as a "first carbon film". *See* column 10, lines 63-64. Applicants submit that the "adhesive layer" and the "first carbon film" of Otsuka are not the equivalent of "bonding agent" and the "coating" described in embodiments of the present application.

However, even assuming, *arguendo*, that these elements are equivalents, Otsuka would still fail to describe *an actuator element physically supported by and coupled to a suspension*

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element at at least one application site of a bonding agent, the bonding agent covered by a coating application. Figure 2 (and the related Figure 1) of Otsuka describe the elements 61 and 62 as part of a head slider embodiment. Specifically, column 10, lines 18-21 of Otsuka state:

FIG. 1 is a *bottom view of the magnetic head slider* of this embodiment of the present invention, and FIG. 2 is a *sectional view of the magnetic head slider* in a flying state taken along line II-II in FIG. 1. (*emphasis added*)

Therefore, it is clear that elements 61 and 62 of Otsuka are part of a head slider embodiment. An examination of Figure 1 and 2 of Otsuka further confirms this. Elements 61 and 62 are elements of the slider embodiment, and a actuator or suspension is not described or illustrated.

Furthermore, the Office Action further cites element 17 of Otsuka as an "actuator element". Applicants disagree. The embodiment of Figure 2 of Otsuka describes element 17 as a "first protrusion". See column 11, line 8. Column 11, lines 7-9 further describe this element:

The first protrusion 17 is provided on the air flow inlet side, and the second protrusion 18 is provided on the air flow outlet side.

Element 17 of Otsuka, a part of the slider embodiment described in Figure 2, is directed toward air flow. However, as is well known in the art, an actuator is not directed toward air flow, and is not an element of a slider. Applicants submit element 17 of Otsuka does not describe an actuator.

Next, the Office Action cites element 83 as describing a suspension. Applicants disagree. The only element 83 found in the Otsuka reference is the "triangular spring plate" described in the Background of the Invention section. See column 1, line 32. Applicants submit that a triangular spring plate is not the equivalent of a suspension.

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Moreover, Applicants submit the Otsuka reference does not describe cited elements 61 and 62 (the alleged equivalents of the bonding agent and coating application of claim 1) in the context of a *suspension* or an *actuator* anywhere.

For at least the reasons above, Applicants submit the description of cited elements 61, 62, 17 and 83 as parts of a head slider embodiment are inadequate to support proper rejection of claim 1. In order to be a proper rejection, the cited reference must describe *an actuator*, comprising: *an actuator element physically supported by and coupled to a suspension element at at least one application site of a bonding agent*, the bonding agent covered by a coating application (e.g., as described in the embodiment of claim 1). As shown above, the Otsuka reference does not, and therefore the §102(e) rejection of claim 1 should be withdrawn. Independent claim 13 contains similar allowable limitations, and therefore is allowable for similar reasons.

Based on the arguments above, reconsideration and withdrawal of the rejection of claims 1 and 13 under 35 U.S.C. §102(e) is respectfully requested.

For all the above reasons, the Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

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The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to the deposit account of Kenyon & Kenyon, deposit account no. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Dated: March 27, 2006

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